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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,305	01/22/2004	Zarah Soghomonian	42691-2021.US	3090

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EXAMINER	
LE, DANG D	

ART UNIT	PAPER NUMBER
2834	

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/761,305	SOGHOMONIAN, ZARAH	
	Examiner	Art Unit	
	Dang D. Le	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 July 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) *1-5 and 18-21* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *6-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 7/14/06 have been fully considered but they are not persuasive. The applicant's argument is on the ground that Cooper "fails to show and describe the use of a predetermined atmosphere." This is not persuasive because a predetermined atmosphere in claim 6 is not well defined. It could be an inert atmosphere or oxygen-free atmosphere or the atmosphere surrounding people on the earth. Similarly, "the predetermined conditions of temperature, time and atmosphere" in claim 10 is not well defined. The conditions could be at room temperature, at time after the compacting step, and with the aforementioned atmosphere.

As a result, the rejection is still deemed proper and repeated hereinafter.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 6-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper et al. (6,132,186) in view of Ward et al. (4,947,065).

Regarding claim 6, Cooper et al. shows a method of manufacturing a stator comprising groups of electromagnetic poles, each of the groups comprising magnetic

material isolated and separated from each other, the method comprising forming the magnetic material of a soft magnetic composite by:

- Atomizing an iron alloy to form a plurality of particles (column 5, lines 19-21);
- Forming a mixture of the coated iron alloy particles and a lubricant (column 5, lines 58-59);
- Compacting the mixture at an elevated temperature and pressure to form a green compact (column 5, lines 59-61); and
- Heat-treating the green compact to form the soft magnetic composite (column 5, lines 61-63) at a predetermined atmosphere (locally atmosphere).

Cooper et al. does not show the step of coating each particle with a dielectric material.

Ward et al. shows the step of coating each particle with a dielectric material (column 1, lines 40-45) for the purpose of reducing eddy current.

Since Cooper et al. and Ward et al. are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the step of coating each particle with a dielectric material as taught by Ward et al. for the purpose discussed above.

Regarding claim 10, it is noted that Cooper et al. also shows the step of determining the target dimension for target properties in column 5, lines 20-30. As a result, claim 10 is also rejected.

Regarding claims 7, 9, 12, 15, and 17, it is noted that Cooper et al. also shows all of the limitations of the claimed invention in column 5, lines 5-15, in column 5, lines 25-30, Figure 16 for two groups of poles.

Regarding claims 8, 11, and 16, it is noted that Ward et al. also shows all of the limitations of the claimed invention in column 2, lines 45-47, in column 2, lines 10-20.

Regarding claims 13 and 14, it is noted that it has been held that to be entitled to weight in method claims, the recited structure limitations therein must affect the method in a manipulative sense, and not to amount to the mere claiming of a use of a particular structure. Ex parte Pfeiffer, 1962 C.D. 408 (1961). Put another way, "patentability of a method claim must rest on the method steps recited, not on the structure used, unless that structure affects the method steps." Leesona Corp. v. U.S., 185 USPQ 156, 165 (Ct. Cl. trial div. 1975) aff'd 192 USPQ 672 (Ct. Cl. 1976). As a result, claims 13 and 14 are also rejected.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Information on How to Contact USPTO

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D. Le whose telephone number is (571) 272-2027. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

9/1/06

DANG LE
PRIMARY EXAMINER